City Of Hart

407 S. State St
Hart, Mi 49420
Planning Commission
Thursday, May 4th,2023
Minutes

MEMBERS PRESENT: Betty Root, Jim Cunningham, Jim Evans, Gale Goldberg, and Diane LaPorte
ABSENT: Fred Rybarz and Peggy Wittman
OTHERS PRESENT: City Manager – Rob Splane

**City Clerk was unable to attend meeting, Due to equipment failure meeting was not recorded and Clerk is working off City Managers notes.

B. Root called the meeting to order at 4:00 pm.

APPROVAL OF AGENDA: J. Evans moved to approve the agenda and supported by D. LaPorte

- Ayes: 5 Nays: 0 Absent: 2

APPROVAL OF MINUTES: J. Evans moved to approve minutes from November 3rd,2022 and supported by G. Goldberg with correction J. Cunningham wanted the City to purchase 15+/- small American flags to put on the condos down by the lake and display them like they do on the Grand Hotel.

- Ayes: 5 Nays: 0 Absent: 2

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Public Hearing – Rezoning and Special Land use for Parcel 020-243-001-00 located at 620 East Main Street

  J. Evans motioned to open the public hearing and supported by G. Goldberg

  - Ayes: 5 Nays: 0 Absent: 2.

  Randy Bouwkamp would like to rezone property so that he can have farm animals.
  Cunningham asked if the animals would be visible from the road? The road sits higher than the property so the animals would be visible from the road.
  Goldberg, what animals are you thinking about having and how many? At this time, they will be regular farm animals. Goldberg also asked if this was a full-time resident? Yes, it is but also has a house in Holland. And are you here 7 days a week to care for the animals? Not at this time but will be to care for the animals.
  Root asked what would be done with the waste from the animals? There is going to be a garden where it will be used as fertilizer.
  Cunningham asked if there are going to be pigs? Currently, they are not high on the list but are not going to rule that out.
  LaPorte the only animal id be against is a rooster. As a rooster can be noisy and mean, id hate for one to get out and

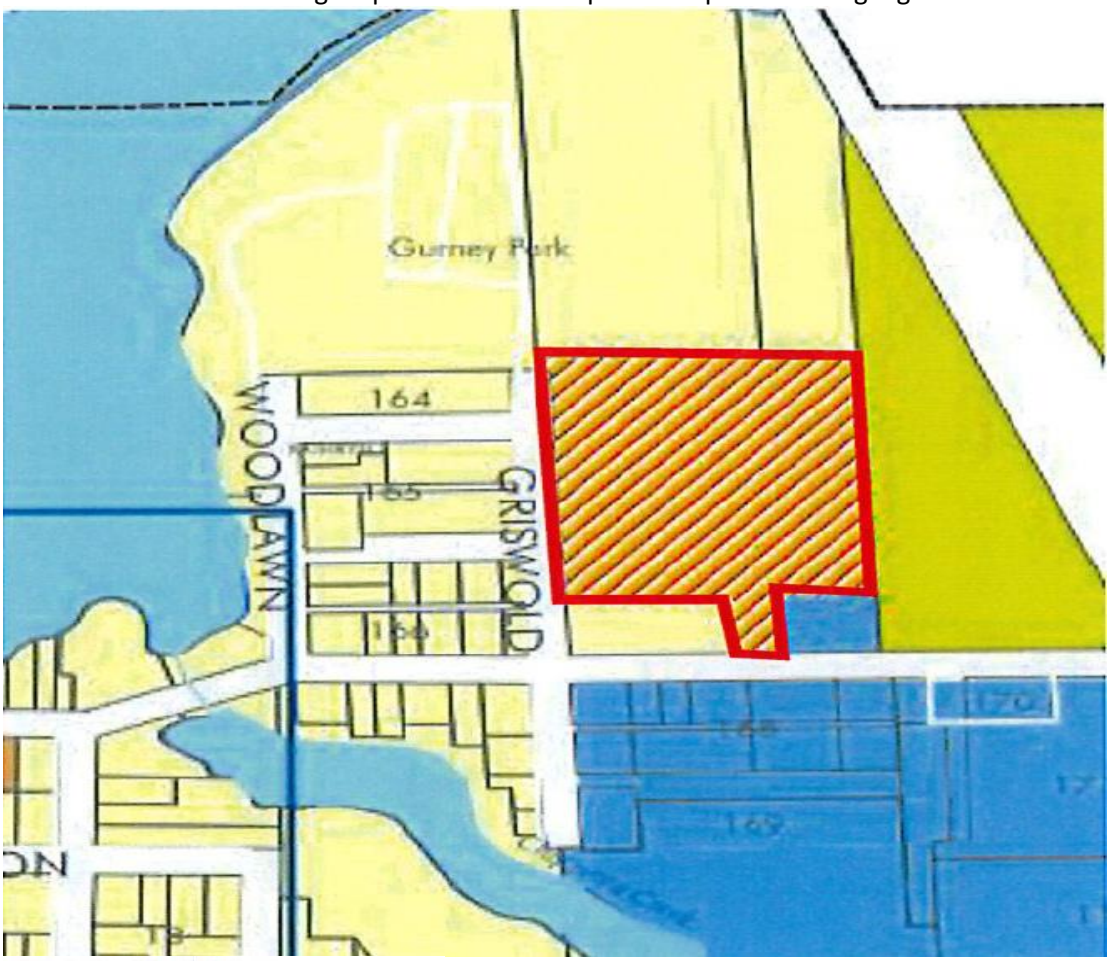
ACTION ITEMS:

- Consider the council's recommendation to rezone the property at 620 East Main Street as A-1 residential.

  Mckenna, As requested by the applicants, Randy, and Lisa Bouwkamp, we have reviewed the above referenced application for the rezoning of 620 E. Main St. (parcel number 64-020-001-00) from PUD to A-Residential.
  The lot is 528' wide x 752' long. The lot contains a single-family residence, but much of the lot is currently undeveloped. The lot is outlined (approximately) on the aerial photo below. The applicant proposes to rezone the lot to A-Residential and to keep farm animals on the grounds.



Below is the current zoning map in the area. The parcel in question is highlighted.



- A, Residential Zone
- A-1, Residential Zone
- A-2, Apartment Zoning District
- B-1, Central Business District
- B-2, General Business District
- C-2, Limited Commercial
- D-1, Industrial District
- D-2, Industrial Park District
- M-1, Medical/Institutional District
- PUD, Planned Unit Development

ZONING DISTRIC COMPARISON

The chart below compares the existing PUD District to the proposed A District. When considering a rezoning, the Planning Commission must take into account all potential uses under the new zoning classification, not merely the use the application has expressed interest in

	Existing District PUD Planned Unit Development	A-Residential
Permitted Uses	*Single and Multi-family housing *Hospitals, medical or dental clinics *Public. Private or nursery schools *Housing for the aged, nursing homes and retirement *Children's homes *Community swimming pools *Executive professional or administrative offices *Hotels and motels *Athletic and fitness clubs.	*Single family detached dwellings *Two-family dwellings (duplexes) *Accessory apartments *Child and adult day care homes with no more than six minor children and adults. State Licensed adult foster care family homes with no more than six adults *Home occupations *Private communication antenna not exceeding twenty-five feet in height *Accessory uses, buildings, and structures customarily incidental to an of the above uses. *Public and institutional uses. *Public and private schools and school administration buildings.
Special Approval Uses	N/A	*Antenna and towers exceeding a height of twenty-five *Non-commercial parks, playgrounds and play fields * Essential public services buildings and structures *Housing for the elderly, retired or those requiring assisted care including nursing homes. *Public and private golf courses. *Child day care homes which provide care to more than six but not more than twelve minor children. *Child day care centers. *Bed and Breakfast establishments. *Foster care group home for seven or more persons. ***Domestic farm animals and fowls penned and housed more than 200 feet from any dwelling other than the dwelling occupied by the owner of the farm animals or fowls and located on a parcel of land containing three acres or more.** *Duplexes *Boarding houses.

Minimum Lot Size	Determined by the Planning Commission	6,000 square feet
Minimum Setbacks	Determined by the Planning Commission	Front: 15 feet Side: 15 feet Rear: 25 feet
Maximum Building Height	Determined by the Planning Commission	35 feet 2.5 stories
Residential Density	Determined by the Planning Commission	7 units per acre w/sewer 3 units per acre w0/0 sewer

The two districts are very different. The PUD district allows much more flexibility in site design, construction, and use, when compared to the A-Residential district. The PUD district is envisioned to allow for greater density and a mixture of uses such as commercial, residential, and service. A PUD allows for more intensive uses to take place. The A-Residential district allows primarily for single-family residences and their auxiliary uses. The parcel in question is Zoned PUD, but on the edge of that district and wedged between A-Residential lots and M-1 Medical/Institution lots. The site is currently partially developed, and a single-family lineage of the original owners of the farm-Doc Stevens. The current owners wish to return the property and it's use to its original form-a residence and gentleman's farm.

REVIEW CRITERIA FOR REZOMINGS

When reviewing a rezoning request, the Planning Commission should consider the following criteria.

1. **Consistency with the Master Plan**.
   In 2017 Hart Master Plan encourages single-family residential neighborhoods and properties to promote the community character of Hart. The 2017 Master Plan envisions a variety of uses in the A-Residential district.
2. **Consistency with the Zoning Ordinance.**
   Section 1245.03(j) of the Hart Zoning Ordinance states that, "Domestic farm animals and fowls penned and housed more than 200 feet from any dwelling other than the dwelling occupied by the owner of the farm animals or fowls, and located on a parcel of land containing three acres or more."
   The Hart Code of Ordinances page 12 (2) defines farm animals as "Farm animals and fowls" means those animals and fowls usually kept on a farm for the production of income, such as horses, cows, pigs, chickens, turkeys, sheep, ducks, and geese."
   The proposal to keep farm animals on the property is consistent with the Hart Zoning Ordinance. The applicants have submitted a detailed site plan for the uses on the property and the plan easily meets the 200' minimum setback from adjacent properties. A Special Use Permit will be required before the animals can begin residing on the site.
3. **The Site's Physical Compatibility with the Uses Permitted in the Zoning District.** The Planning Commission must consider whether the site can reasonably support the uses permitted in the proposed Zoning District, from a physical perspective.
   - **Natural Features:** The subject site is a partially developed lot that contains a single-family residence. The parcel has historically been the site of a gentleman's farm. The natural features of the site are consistent with a gentleman's farm with open spaces and wooded areas. The parcel is also primarily flat and does not contain protected wetlands or other natural features that would restrict development.
   - **Road Network:** The parcel fronts Main Street, which is the main east/west corridor in Hart. The parcel is approximately a mile east of Downtown Hart. To the east of the parcel is Oceana Rd., a regional road which bypasses Downtown Hart. The proposed rezoning is not anticipated to have any negative impacts on the road network.
4. **Compatibility with Surrounding Uses.** The Planning Commission must consider whether <u>all</u> of the permitted uses in the proposed A-Residential District would be appropriate to

the existing surroundings. The table below summarizes the land use attributes of the site and surrounding properties.

	Current Zoning	Existing Land Uses	Future Land Use (Master Plan)
Subject Parcel	PUD	Single-Family Residence	PUD
North	A-Residential	John Gurney Park	Park or Residential
East	A-2	Multiple Family Residential	Multiple Family Residential
South	M-1 Medical/Institutional	Medical/Institutional	Medical/Institutional
West	A-Residential	Single-Family Neighborhood	Single-Family Neighborhood

The surrounding land uses to the north, east, and west are residential, with single family homes to the west, John Gurney Park to the north, and multiple family apartments to the east. A single-family residence with farm animals could be appropriate and compatible with the neighborhood. Given the size of the parcel and the setbacks from other residential properties to the east and west, the proposed uses would be compatible with the surrounding area.

5. **Most Appropriate Zoning District.** The parcel's future land use designation as a single-family residence that houses farm animals strongly suggests a rezoning to the A-Residential district.
6. **Infrastructure Capacity.** We are not aware of any infrastructure capacity issues that would restrict the ability to own and house farm animals as a special use in the A-Residential District. The site appears to have access to public water and sewer without needing an extension of that system.

RECOMMENDATION

We recommend that the Planning Commission recommend approval of the rezoning to A-Residential to the City Commission.

- Consider approval of Special Land Use Application at 620 East Main Street Property.

CITY OF HART
407 State St
Hart, MI 49420
231-873-2488 (p)
231-873-0100 (f)
www.cityofhart.org

Special Land Use Application
Fee: $300 in addition to any applicable site plan fees

APPLICATION FOR SPECIAL LAND USE

APPLICANT INFORMATION

Name of Applicant: Randy Bouwkamp
Address: 620 E Main St
Telephone: 616-836-1262 E-mail: randy@bouwkampbuilders.com

Are you the owner of record for the property of the requested special land use? X YES ____ NO

If you are NOT the owner of record for the property of the requested rezoning, please complete the below section PROPERTY OWNER INFORMATION.

PROPERTY OWNER INFORMATION

Name of Property Owner: Lisa L. Bouwkamp and Laura L. Stevens Revocable Trust 9-20-11
Address: 620 E Main St
Telephone: 616-836-1262 E-mail: randy@bouwkampbuilders.com

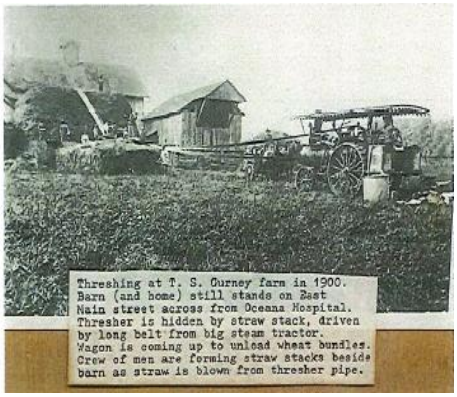
LOCATION OF PROPERTY FOR WHICH THIS SPECIAL LAND USE IS REQUESTED

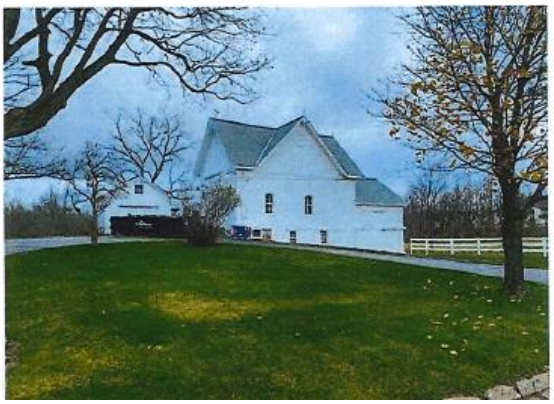
Property Address: 620 E Main St
Cross Streets: Main St and Griswold/~~East~~ Eastern Park Road
Parcel ID Number: 64020243001-00 Lot Size (in acres): 10
Lot Width: 582 Lot Depth: 752
Present Zoning Classification: Residential
Requested Zoning Classification: N/A
Zoning District of Adjacent Properties to the: North City Park South Medical East Multi-family West Residential
In the area provided or on a separate sheet, please give a detailed description of the proposed land use:

Please see additional sheet.

1) **Will be harmonious, and in accordance with the objectives, intent, and purpose of this chapter.**
   We believe the addition of animals and fowl will add additional charm and life to the property and community. While the standard definition indicates the animals and fowl are kept on the farm for the production of income. I feel it is important to mention that we do not intend to rely on the farm as our primary source of income but rather plan to enjoy the ambience that farm animals bring to the property like ours. The farm amenity improvements we make will be tasteful and well thought through. The property will be kept neat, clean, and most importantly will be kept safe.
2) **Will be compatible with a natural environment and existing and future land uses I the vicinity.**
   We believe allowing the property to remain open space will complement the existing open space that exists at John Gurney City Park which lies to the north of the farm, and as well a City owned large open space property where the old ball diamond was located.
3) **Will be compatible with the City Master Plans.**
   I have reviewed the long-term improvement ideas for the John Gurney City Park and believe that allowing this property to be open space farmland will only enhance the entrance and long term vision of John Gurney Park.
4) **Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage ways and structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.**
   No additional services will be necessary.
5) **Will not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property, or the public welfare.**
   We believe the farm animals will bring additional charm and life to the property and will be positive for the neighborhood and community to enjoy.
6) **Will not create additional requirements at public costs for public facilities and services that will be detrimental to the economic welfare of the community.**
   We do not feel that this will create any additional requirements at public cost for public facilities and services but rather feel the changes to our farm will be economically good for the community.

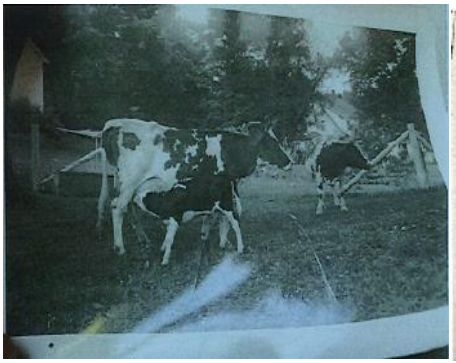


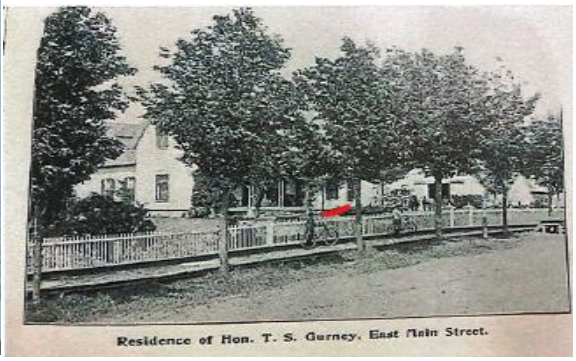

Threshing at T. S. Gurney farm in 1900.
Barn (and home) still stands on East
Main street across from Oceana Hospital.
Thresher is hidden by straw stack, driven
by long belt from big steam tractor.
Wagon is coming up to unload wheat bundles.
Crew of men are forming straw stacks beside
barn as straw is blown from thresher pipe.



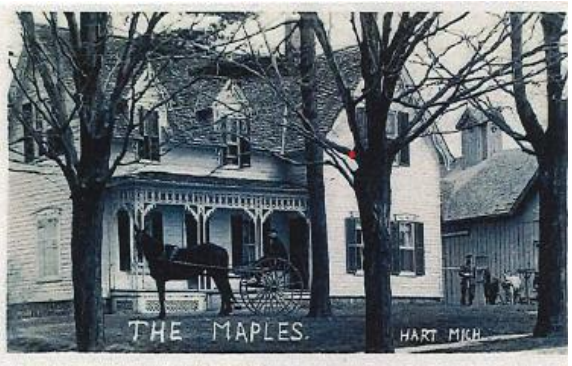




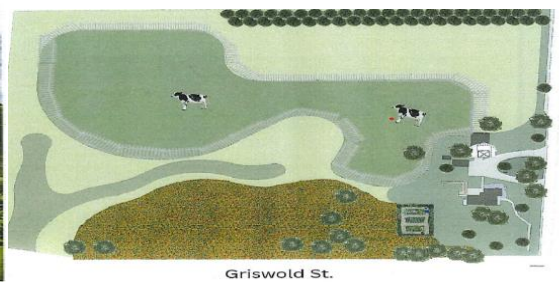


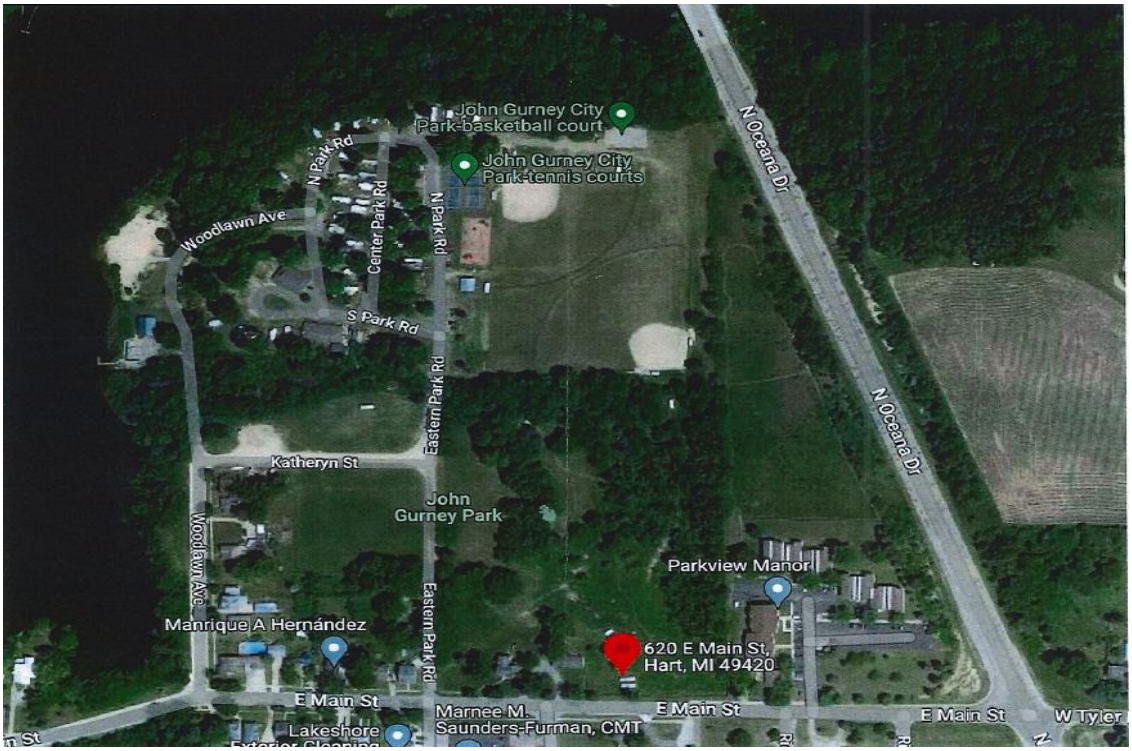

Residence of Hon. T. S. Gurney, East Main Street.

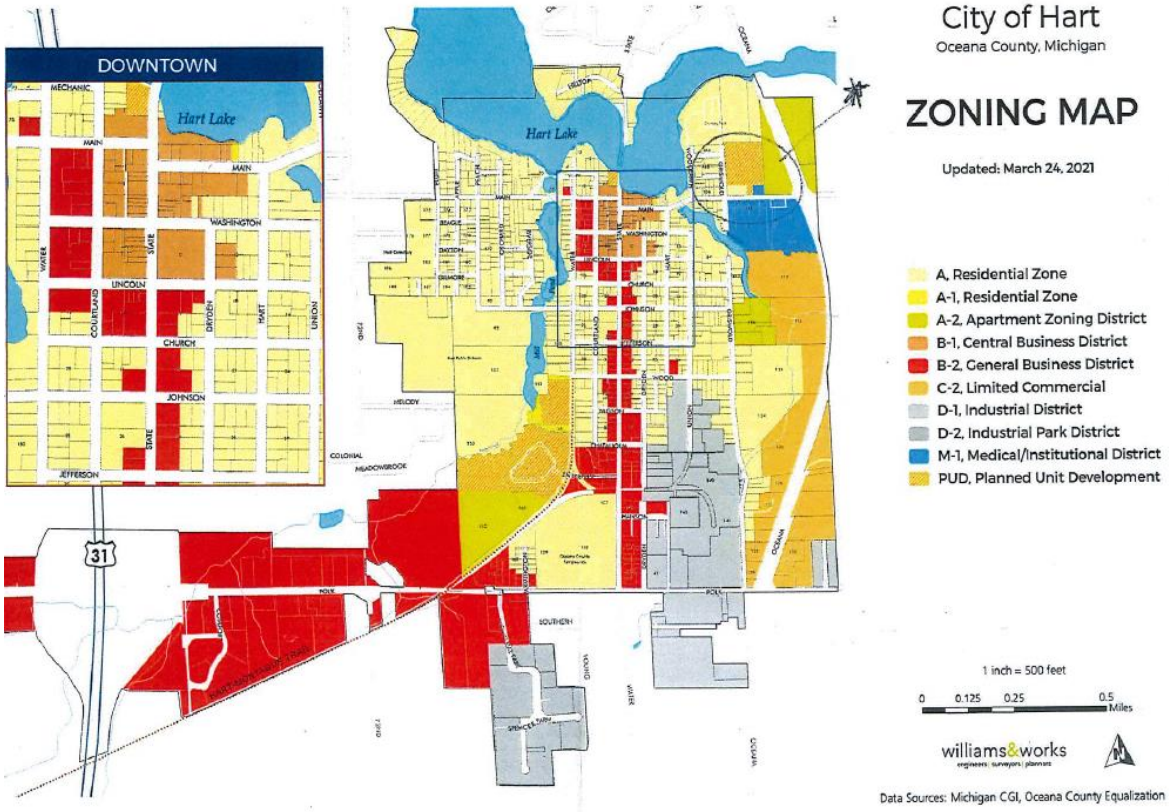



THE MAPLES.
HART MICH.




620 E Main St.
Griswold St.


John Gurney City Park-basketball court
John Gurney City Park-tennis courts
N Park Rd
Woodlawn Ave
Center Park Rd
N Park Rd
S Park Rd
N Oceana Dr
Eastern Park Rd
Katheryn St
John Gurney Park
Woodlawn Ave
Parkview Manor
Manrique A Hernández
620 E Main St, Hart, MI 49420
Eastern Park Rd
E Main St
Marnee M. Saunders-Furman, CMT
E Main St
E Main St
W Tyler


DOWNTOWN
Hart Lake
Hart Lake
MECHANIC
MAIN
WASHINGTON
UNCLON
CHURCH
JOHNSON
JEFFERSON
COLONIAL MEADOWBROOK
31
SOUTHERN
City of Hart
Oceana County, Michigan
ZONING MAP
Updated: March 24, 2021
A, Residential Zone
A-1, Residential Zone
A-2, Apartment Zoning District
B-1, Central Business District
B-2, General Business District
C-2, Limited Commercial
D-1, Industrial District
D-2, Industrial Park District
M-1, Medical/Institutional District
PUD, Planned Unit Development
1 inch = 500 feet
0 0.125 0.25 0.5 Miles
williams&works
Data Sources: Michigan CGI, Oceana County Equalization

Historic Reference

City of Hart, Michigan

MEMORANDUM

TO: MAYOR RON LAPORTE & CITY COUNCIL

FROM: STAN RICKARD, CITY MANAGER

DATE: JULY 6, 2012

RE: ORDINANCE 2012-04: PLANNED UNIT DEVELOPMENT (PUD) – 608 EAST MAIN STREET

On July 5, 2012 the Planning Commission (PC) recommended to approve the rezoning of a parcel of land currently zoned A, Residential at 608 East Main Street to Planned Unit Development (PUD). The PC action was in response to a request by the Oceana Housing Commission to construct a 26-unit apartment project called The Cottages at Gurney Farms Senior Living. Concurrently, the PC approved the site plan for the proposed project.

The proposed ordinance was published in the local newspaper on June 14, 2012 and a public hearing was held at the July 5, 2012 PC meeting.

I concur with the Planning Commission recommendation and request adoption of Ordinance 2012-04 rezoning a portion of the 608 East Main Street property to Planned Unit Development (PUD) on FIRST READING at the July 10, 2012 Council meeting.

Historic Reference

CITY OF HART
ORDINANCE NO. 2012-04

A ZONING ORDINANCE AMENDMENT ESTABLISHING A PLANNED UNIT DEVELOPMENT (PUD) AT 608 EAST MAIN STREET

First Reading:	July 10, 2012
Second Reading & Adoption:	July 24, 2012
Publication:	August 2, 2012
Effective Date:	Ten days after publication

THE CITY OF HART ORDAINS:

The rezoning of a portion of 608 East Main Street (parcel ID #64-020-243-001-00), from A, Residential Zone, to PUD, Planned Unit Development for a 26-unit senior housing development. The property proposed for rezoning is legally described as follows:

A parcel of land situated in the Southwest One-quarter of the Southwest One-quarter of Section 9, Town 15 North, Range 17 West, City of Hart, Oceana County, Michigan, more fully described as follows: Commencing at the Southwest Corner of said Section 9; thence North 00°30' 51" East, 315.22 feet, along the West Line of said Section 9 and the Easterly line of Griswold Street, to the Point of Beginning; thence North 00°30'51" East, 318.68 feet, continuing along said West Line of Section 9 and Easterly line of Griswold Street; thence North 14°35'29" East, 137.30 feet; thence South 85°37'54" East, 530.13 feet; thence South 00°31'05" West, 585.04 feet; thence North 87°19'27" West, 188.41 feet; thence South 00°30'51" West, 167.62 feet, to a point on the South Line of said Section 9 and the centerline of Main Street; thence North 87°19'27" West, 44.03 feet, along said South Line of Section 9 and centerline of Main Street; thence North 00°30'51" East, 315.22 feet; thence North 87°19'28" West, 330.24 feet, to the Point of Beginning. Said parcel contains 6.66 acres of land, more or less. SUBJECT TO the right-of-way of Main Street across the Southerly 33 feet thereof. ALSO SUBJECT TO easements or restrictions, if any.

STATE OF MICHIGAN)
) SS.
COUNTY OF OCEANA)

I, the undersigned, the duly qualified and acting City Clerk of the City of Hart, Oceana County, Michigan, do hereby certify that the foregoing Ordinance amendments and additions were adopted by City of Hart at a regular City Council meeting duly held on the 24th day of July, 2012; and that the meeting with held in compliance with notice provisions and all other requirements of Act 267 of the Public Acts of 1976, as amended, I hereby certify that I published the Ordinance amendments and additions in the Oceana Herald Journal on the 2nd day of August, 2012.

Laura L. Stevens
Hart City Clerk



DISCUSSION ITEMS:

- Cunningham – Food Trucks
- Evans – Temporary Food Trucks would be a benefit but not permanent.

ADJOURN:

- There being no further business to come before the Planning Commission, the meeting adjourned at 4:51pm upon a motion by D. LaPorte and supported by J. Evans the next scheduled meeting will be held on June 1st, 2023.

Karla Swihart

Karla Swihart
City Clerk